

Article - Education

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§9.5–304.

(a) Except as otherwise provided in this section, a family child care home or large family child care home may not operate unless it is registered.

(b) A family child care home is not required to be registered if the child care provider:

(1) Is related to each child by blood or marriage;

(2) Is a friend of each child's parents or legal guardian and the care is provided on an occasional basis; or

(3) Has received the care of the child from a child placement agency licensed by the Department of Human Services or by a local department of social services.

(c) (1) A person may not advertise a family child care home, large family child care home, or family child care service unless the family child care home or large family child care home is registered under the provisions of this subtitle.

(2) An advertisement for a family child care home, large family child care home, or family child care service shall state:

(i) That the family child care home or large family child care home is registered with the Department; and

(ii) The registration number issued to the family child care home or large family child care home by the Department.

(3) An employee of the Department charged with the investigation and enforcement of child care regulations, the State Fire Marshal, a deputy State fire marshal, a special assistant State fire marshal, or a local fire marshal may visit the home of a child care provider, and the employee of the Department may serve a civil citation without any other evidence of unregistered family child care if:

(i) The child care provider advertises a family child care home or large family child care home that is not registered under the provisions of this subtitle;

(ii) The Department sends a warning letter to the child care provider; and

(iii) The child care provider:

1. Does not respond to the Department within 10 business days after the Department sends the warning letter; or

2. Responds to the Department in a manner that does not adequately address the charge in the warning letter.

(4) The State Fire Marshal, a deputy State fire marshal, a special assistant State fire marshal, or a local fire marshal who visits a child care center under paragraph (3) of this subsection may take any action authorized under § 6–316 of the Public Safety Article, the State Fire Prevention Code, or a local fire prevention code.

(d) An employee of the Department charged with the investigation and enforcement of child care regulations may serve a civil citation to a person found in violation of this section.

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